Before the FEDERAL COMMUNICATIONS COMMISSION Washington, DC 20554

In the Matter of)	
)	
Carriers Eligible for Universal Service)	WC Docket No. 09-197
Support)	
)	
Lifeline and Link Up Reform and)	WC Docket No. 11-42
Modernization)	
)	
Compliance Plan of T-Wire Corporation)	
1)	
Compliance Plan of T-Wire Corporation))	

COMPLIANCE PLAN OF T-WIRE CORPORATION

T-Wire Corporation ("T-Wire"), by and through its undersigned counsel, files its compliance plan for approval in accordance with the procedures set forth in the FCC's *Lifeline Reform Order*, and the Federal Communications Commission's ("FCC" or "Commission")

February 29, 2012 Public Notice² providing additional guidance regarding the information required to be included in the compliance plans submitted for Commission review. In the *Lifeline Reform Order*, the Commission granted forbearance from the facilities requirement set forth in Section 214(a)(1)(A) of the Communications Act of 1934, as amended ("Act"), to enable "Lifeline-only" eligible telecommunications carriers ("ETCs"), such as T-Wire, to receive Lifeline support for providing service to low-income subscribers. In order to qualify for forbearance, Lifeline-only ETCs are required to submit a compliance plan to the FCC for approval containing specific information regarding the carrier's service offerings, and outlining

¹ Lifeline and Link up Reform and Modernization, Report and Order and Further Notice of Proposed Rulemaking, WC Docket No. 11-42; WC Docket No. 03-109; CC Docket No. 96-45; WC Docket No. 12-23, FCC 12-11 (rel. Feb. 6, 2012) ("Lifeline Reform Order).

² Wireline Competition Bureau Provides Guidance for the Submission of Compliance Plans Pursuant to the Lifeline Reform Order, Public Notice, DA 12-314 (rel. Feb. 29, 2012) ("Public Notice").

³ 47 U.S.C. § 214(e)(1)(A).

⁴ Lifeline Reform Order ¶¶ 368-391.

the measures the carrier will take to implement the obligations contained in the *Lifeline Reform*Order, as well as further safeguards against waste, fraud and abuse.⁵

To that end, and in accordance with the Public Notice regarding the information required to be submitted to the Commission, T-Wire now files its compliance plan, and states as follows:

I. <u>INFORMATION REGARDING T-WIRE CORPORATION</u>

A. Company Information

T-Wire is a Florida limited liability company with principle offices located at 1110 N. Palafox Street, Pensacola, Florida 32501. It is wholly owned by Caron Sjoberg and Charles A. Emling, III. T-Wire does not operate as a holding company, it is not owned by a holding company, and it does not have any affiliates. T-Wire is approved as a foreign corporation eligible to do business in Tennessee, Alabama, Mississippi, Georgia, and Louisiana.

B. Financial and Technically Capabilities

T-Wire is financially and technically capable of providing the supported Lifeline service in compliance with the FCC's rules. Together, the principals in T-Wire, Caron Sjoberg and Charles A. Emling, III, have over 20 years of telecommunications experience. Mr. Emling was CEO of Network USA, and its subsequent successor company, A+Network, from 1988 until 1996. A+Network was a publicly traded telecommunication company, which operated paging and messaging systems, along with telephone answering companies across eleven states in the southeastern United States. Mr. Emling joined Network Telephone, a privately owned, venture capital-backed, facilities-based competitive local exchange carrier ("CLEC") in 2000, and participated as part of the senior management team. Mr. Emling left the company in 2006 after completion of a merger between Network Telephone and Talk America, a publically traded

_

⁵ Lifeline Reform Order ¶ 368.

CLEC. Talk America subsequently merged with PAETEC, which has since merged with Windstream.

Caron Sjoberg has held a number of positions as a member of the executive management teams at both Network Paging/A+Network, and Network Telephone. These positions included Sr. Vice President of Marketing, and Vice-President of Customer Care and Provisioning. All of the aforementioned companies operated under the regulation of the FCC and applicable state public service commissions. None of the companies were ever involved in any enforcement actions or license revocations by any state, local, or federal agencies. T-Wire expects to operate in a similarly compliant manner, and fulfill all applicable legal obligations.

T-Wire is financially capable of providing all services that it decides to market, including Lifeline services, to eligible subscribers. T-Wire does not have any debt, other than shareholder provided loans, and it has ample current assets available to execute its business model.

C. Information Regarding T-Wire's Service Offerings

T-Wire has been awarded CLEC status in Alabama and Georgia, and is an approved ETC in Alabama. T-Wire has also executed an interconnection agreement with AT&T, which allows T-Wire to provide services utilizing unbundled network elements in Alabama. The company intends to utilize underlying carriers, such as AT&T, Verizon, and Century Link, in order to provide service. The company intends to provide both wireline and wireless postpaid service in numerous states as a designated ETC.

With regard to the Lifeline service offerings, Lifeline subscribers will have access to unlimited local calling, call ID, call waiting. Toll blocking will be free to Lifeline customers.

D. Terms And Conditions of Each Lifeline Service Plan Offerings

T-Wire will offer both wireline and wireless Lifeline service plans. The company intends to make following wireline Lifeline packages available to customers:

- 1. Lifeline Basic Package
 - a. Included Features: Unlimited Local Calling
 - b. Monthly Charges: \$21.95
- 2. Lifeline Silver Package
 - a. Included Features: Unlimited Local Calling, Caller ID, Call Waiting
 - b. Monthly Charges: \$33.90
- 3. Lifeline Gold Package
 - a. Included Features: Unlimited Local Calling, Caller ID, Call Waiting, Three Way Calling, Call Return
 - b. Monthly Charges: \$38.90

T-Wire's wireless Lifeline service plan, which the company intends to provide with no monthly recurring charge, will include the following:

250-Minute Wireless Lifeline Plan

250 anytime minutes included per month

- \$20 handset
- Free Voicemail, Caller-ID, Call Waiting
- Free calls to Customer Service
- Free calls to 911 Emergency Services
- 1 text message = 1 minute of usage

Additional bundled minutes available:

- \$5 = 35 Minutes
- \$10 = 75 Minutes
- \$20 = 160 Minutes
- \$30 = 270 Minutes
- \$50 = 700 Minutes

E. Certifications Required Under Newly Amended Section 54.202 of The Commission's Rules:

Pursuant to Section 54.202 of the Commission's rules, and the FCC's *Public Notice*, T-

Wire provides the required certifications under newly amended Section 54.202 of the

Commission's rules. Specifically, T-Wire certifies that it will comply with the service

requirements applicable to the support it receives.⁶ T-Wire will provide all of the telecommunications service supported by the Lifeline program, and it will make those services available to all eligible subscribers in the areas in which the company has been designated as an ETC.

Furthermore, T-Wire certifies that it will have the ability to remain functional in emergency situations, have a reasonable amount of back-up power to ensure functionality without an external power source, be able to reroute traffic around damaged facilities, and be capable of managing traffic spikes resulting from emergency situations. As a wireline and wireless reseller, T-Wire will rely on its underlying carriers for its network operations, and those carriers will have the ability to remain functional in emergency situations.

Finally, T-Wire certifies that it will satisfy applicable consumer protection and service quality standards, and it commits to comply with the Cellular Telecommunications and Internet Association's Consumer Code for Wireless Service with respect its wireless offerings. T-Wire will follow all mandatory FCC and USAC guidelines, and it intends to incorporate best industry practices when it begins marketing and servicing its products. Compliance with all FCC and USAC standards and regulations will be paramount, and stated as a company objective for personnel training. T-Wire has delayed beginning marketing efforts in part due to the current industry rule changes designed to reduce fraud, waste and abuse. T-Wire intends to avoid these types of occurrences.

⁶ 47 C.F.R. § 54.202(a)(1).

II. COMPLIANCE WITH FCC RULES

A. Determination of Subscriber Eligibility

T-Wire is cognizant of the past issues the industry has experienced with regard to fraud, waste, and abuse of USF support. T-Wire participated in industry meetings (NALA, USAC) and monitored FCC and USAC communications during the past year while awaiting various CLEC, ETC, and interconnection agreement approvals. T-Wire intends to avoid the mistakes that has plagued other companies in our industry by adhering to FCC/USAC policy guidelines. To that end, T-Wire will also rely on the experience of vendor/partners that are currently known and accepted as industry experts. T-Wire has executed contracts with CGM, LLC (telecom development strategy) and Overgroup Consulting, LLC (OSS support for customer service, reporting, and provisioning). T-Wire will also rely on counsel that it regularly employs to keep it abreast of issues and changes before the FCC and USAC. This includes Mark Foster, attorney (based in Austin, Texas) and Frederick M. Joyce, attorney (Venable, based in Washington D.C.).

T-Wire will create and adhere to the following enrollment procedures to ensure that all requirements are met for eligibility on every subscriber's service order. T-Wire will maintain, utilizing its OSS system, a database to perform an initial verification of all subscribers applying for service under a Lifeline application, ensuring the subscriber or address used is not an existing T-Wire Lifeline customer. Subscribers seeking be become a Lifeline customer will be required to complete an application in substantially the form set forth in the sample attached at Exhibit A. The following information will be captured at application:

- 1. One service per household
- 2. A valid permanent mailing address for service and billing, based on the USPS database information
- 3. Subscriber's personal information including name, last 4 digits of social security number, date of birth

- 4. Qualification for Lifeline under income-based criteria, including the number of residents and dependents in the household, 7 or under program-based criteria with proof and verification 8
- 5. Tribal subscribers verification of address, and tribal ID if needed⁹

B. Compliance with Forbearance Conditions Relating to Public Safety and 911/E-911 Access

T-Wire will comply with the 911/E911 access conditions set forth in the *Lifeline Reform Order*. Order. Specifically, T-Wire will provides its Lifeline subscribers with 911/E911 access at the time Lifeline service is initiated. T-Wire will utilize existing ILEC landline facilities to provide wireline services, and as such, 911 calls will be routed utilizing the ILECs' standard methods. Wireless customers that are eligible for Lifeline services will receive handsets that are E-911 compliant as part of T-Wire's standard method of providing service. T-Wire does not intend to purchase for inventory or offer service to customers using non-compliant E-911 handsets. T-Wire will also ensure that customers will have access to 911 and E911 capability even if zero minutes remain on the account. All wireless handsets connected to T-Wire services will have E-911/911 capabilities at all times.

C. Compliance with Marketing and Disclosure Requirements

T-Wire's marketing materials for its Lifeline services will provide, in clear, easily understood language, information regarding the services supported by the Lifeline program. Specifically, that information will state that that only eligible subscribers may enroll in the

⁷ 47 C.F.R. §54.409(a)(1) (a consumer's household income must be at or below 135% of the Federal Poverty Guidelines based on household size).

⁸ 47 C.F.R. § 54.409(a)(2) (the consumer, one or more of the consumer's dependents, or the consumer's household must receive benefits from one of the following federal assistance programs: Medicaid; Supplemental Nutrition Assistance Program; Supplemental Security Income; Federal Public Housing Assistance (Section 8); Low-Income Home Energy Assistance Program; National School Lunch Program's free lunch program; or Temporary Assistance for Needy Families).

⁹ 47 C.F.R. § 54.409(a)(3) (Lifeline eligibility criteria for consumers living on Tribal lands).

¹⁰ Lifeline Reform Order ¶ 373.

program; that appropriate documentation is required to participate in the program; that participating is limited to one subscriber per household and is non-transferrable. T-Wire's name will be disclosed on all marketing materials. A sample advertisement incorporating this language is attached hereto at Exhibit B.

D. Explanation of T-Wire's Procedures and Efforts to Prevent Waste, Fraud, and Abuse in Connection with Lifeline Funds.

As discussed above, information will be obtained from the subscriber to determine eligibility to participate in the Lifeline program. Once subscriber information is obtained and verified internally, T-Wire will utilize CGM Consulting's proprietary database to compare T-Wire's applicant to CGM's customers information, which will provide a secondary enrollment checkpoint. T-Wire will also utilize the planned duplicate databases that are being contemplated, and once they are operational, T-Wire will add this step to the approval process utilizing our OSS system. For states that opt out of the national database, T-Wire will utilize its existing systems to provide an enrollment validation checkpoint. Finally, if and when T-Wire begins operations in other states that require third party verification, T-Wire will follow those states' guidelines and procedures to verify subscriber eligibility.

T-Wire will develop an acceptable a certification form that incorporates subscriber information as described above. This form will also explain to consumers that the Lifeline program is a federal benefit plan, that they must certify their eligibility for the program, and that their information will be shared with applicable agencies. T-Wire's certification form will also explain the requirements to qualify to receive Lifeline service, and if the subscriber is not eligible, the reason for their denial of service as a Lifeline customer. T-Wire will institute a

¹¹ 47 C.F.R. § 54.405(c).

¹² 47 C.F.R. § 54.405(d).

process to handle address validation fallout for temporary addresses if the subscriber indicates this situation in the application process. The form will state that the re-certification process is required on an annual basis. Subscribers who do not respond to annual certification requests, or who do not provide sufficient proof of continued eligibility, will be de-enrolled from the Lifeline program in accordance with Section 54.405(e)(4) of the Commission's rules. As mentioned above, a sample enrollment form is attached hereto as Exhibit A.

T-Wire will adhere to the same process as previously stated with trained internal personnel, or trained third party vendors to annually obtain the Subscriber's acknowledgement of the continued eligibility for Lifeline service. Subscribers will be informed both in writing and verbally at the initial signup, that these responses are under the penalty of perjury. T-Wire expects to utilize face-to-face meetings and telephone interviews to enroll subscribers. The company expects to use an independent third party call center vendor to provide extended customer service, fulfillment, enrollment, verification, and provisioning of services to subscribers. T-Wire will staff full-time employees on-site with the vendor, and the vendor's staff will be trained on the handling of initial enrollment calls, interviewing prospective Lifeline subscribers, explaining the qualification requirements for Lifeline service, prescreening with available databases regarding the eligibility of the household and the subscriber, documenting and collecting necessary enrollment data, and validating all subscriber information.

III. <u>CONCLUSION</u>

Wherefore, for the foregoing reasons, T-Wire submits that its proposed compliance plan satisfies the requirements set forth in the *Lifeline Reform Order* and the *Public Notice* in order for the company to provide Lifeline-only service.

Respectfully submitted,

/s/ Frederick M. Joyce

Frederick M. Joyce Tony S. Lee VENABLE LLP 575 7th Street, N.W. Washington, DC 20004 Tel: (202) 344-4000

Fax: (202) 344-4000

Email: rjoyce@venable.com tslee@venable.com

Counsel for T-Wire Corporation

Date: June 28, 2012

EXHIBIT A

Sample Enrollment Form

T-Wire Corporation, LLC

1110 North Palafox St Pensacola, FL 32501 1-855-698-9473



LIFELINE APPLICATION

Things to know about the Lifeline Program:

A Complete and signed Lifeline Service Application and Certification ("Certification") is required to enroll you in T-Wire Corporation's ("T-Wire") Lifeline service program in your state. The Certification is only for the purpose of verifying your eligibility in the Lifeline service and will not be used for any other purpose. Service requests will not be processed until this electronic form has been received and verified by the company.

	Service is	s available for only one line				ders; and ner at the same address and share	e income and expenses.		
Applicant I	nformatio	<u>n:</u>							
First Name:		MI: _	Last Name:		_ Date of Birth: Mont	h Day Year			
Social Securi	ty Numbe	er (or Tribal ID Number):	(XXX-XX-	XXXX) Contact Telepho	ne Number:				
Residence A	ddress (No	P.O. Boxes, Must be your p	principal address): This ac	ldress is Permanen	t Temporary	Multi-Household			
			APT/ Floor/ Other	City:	State:	ZIP Code:			
Billing Addr	ess (May 0	Contain and P.O. Box)							
			_ APT/ Floor/ Other	City:	State:	ZIP Code:			
	_ I hereby	certify that I participate in	at least one of the followin	g programs: (Check all t	hat apply)	FOR OFFICE USE ONLY:			
Supplemental Nutrition Assistance Program (SNAP)						Company Representative:			
Supplemental Security Income (SSI) Federal Public Housing Assistance						Documentation Verified:			
Low- Income Home Energy Assistance Program (LIHEAP) National School Lunch Program						Representative Signature:			
Temporary Assistance for Needy Families (TANF) Medicaid					Date:				
-		that my household income i	is at or helow 135% of the	Fadaral					
Initial Here		Guidelines (FPG). There ar				Is this a multi- family dwellin	g?		
I certify, un	der penalt	y of perjury: (Please certify	by checking each Checkbo	x for each Certification)	<u>.</u>				
	(1)					and I acknowledge that willfully	providing false or		
		fraudulent information to receive Lifeline benefits is punishable by law and may result in me being barred from the program. I am a current recipient of the program checked above, or have an annual household income at or below 135 percent of the Federal Poverty Guidelines.							
	` '	I have provided documenta	0 1		anhana sarviga T Wi	ira has avulainad tha ana nar ha	usahald raquirament. I		
	(4)	I understand that I and my household can only have one Lifeline-supported telephone service. T-Wire has explained the one-per household requirement. I understand that violation of the one-per-household requirement constitutes a violation of the FCC's rules and will result in my de-enrollment from the lifeline program, and could result in criminal prosecution by the United States Government.							
	(5)	I attest to the best of my knowledge, that I and no one in my household is receiving a Lifeline supported service from any other land line or wireless company such as Safelink, Assurance, or Reachout Wireless.							
	(6)				sfer my service to any	individual, including another el	igible low-income		
	(7)	I understand that if my service goes unused for sixty (60) days, my service will be suspended, subject to a thirty (30) day period which I may use the service							
	(8)	or contact T-Wire to confirm that I want to continue receiving their service. I will notify T-Wire within thirty (30) days if I no longer qualify for Lifeline. I understand this requirement and may be subject to penalties if I fail to notify							
		my phone company. Special (1) I cease to partic	fically, I will notify my cor sipate in the above federal of		nnual household inco	me exceeds 135% FPG.			
			more than one Lifeline supports the criteria for receiving						
	(9)	I will notify T-Wire within thirty (30) days of moving. Additionally, if my address listed above is a temporary address, I understand that I must verify my address with T-Wire annually. If I fail to respond to T-Wire's address verification attempts within thirty (30) days, my T-Wire Lifeline service may be terminated.							
	(10)	T-Wire has explained to me that I am required each year to re-certify my continued eligibility for Lifeline. If I fail to do so within thirty (30) days, it will result in the termination of my T-Wire Lifeline service.							
	(11)	I authorize and understand that the T-Wire may provide to state and Federal agencies, as required by law, for the purposes of complying with the Lifeline program all the information related to my account including but not limited to my name, date of birth, social security, usage history, address and phone							
	(12)	number. I understand that my name, telephone number, date of birth, and address will be divulged to the Universal Service Administrative Company (USAC)(the administrator of the program) and/or its agents for the purpose of verifying that I do not receive more than one Lifeline subsidy.							
	(13)	I understand that if USAC identifies I am receiving more than one Lifeline subsidy, all carriers involved may be notified so that I may select one service and be de-enrolled from the other. I further understand that some states may impose more stringent rules including but not limited to barring me from re-							
	(14)	enrolling in the program. I authorize the company to access any records required to verify my statements on this form and to confirm my eligibility for the Lifeline program.							

DATE

APPLICANT'S SIGNATURE

EXHIBIT B

Sample Advertisement

IMPORTANT INFORMATION THAT MAY HELP YOU SAVE MONEY ON YOUR PHONE SERVICE!





If you receive social security, Medicare or Medicaid benefits you could qualify for a discount.

Never be without a way to **Keep In Touch.**

Thousands of Americans qualify for a phone service discount and don't even know about it. Find out if you can get a monthly discount on your phone service, through a federal benefit called Lifeline. You'll get the same phone service you're accustomed to, at a discounted price. There is no deposit or hidden cost to participate.

Save as much as \$10 a month, \$120 per year!

Learn more & sign up today!



ORDER NOW call 885-MYTWIRE

save money & keep in touch!

*Here is what you get: If you are on government assistance (Food Stamps, Social Seaunity Income, Medicaid, Section 8 Public Housing, TANF, School Lunch Program), you may qualify for government discounted phone service. Utiline is a government program that provides a monthly discount on home or mobile telephone services. Only ONE Lifeline discount is allowed per household. Members of a household are not permitted to receive Lifeline service from multiple telephone companies. A violation of the one-per-household requirement is against the Federal Communication Commissions's rules and may result in me losing my Lifeline bendits, and potentially, prosecution by the United States government.

Only digible consumers may enroll in the program. Not transferable.
For rules go to USAC.org

CERTIFICATION

CERTIFICATION

I, Charles A. Emling, III, hereby certify under penalty of perjury that I am the Secretary/Treasurer of T-Wire Corporation; that I have read the foregoing document and know the contents thereof; and that the same are true of my own knowledge, except to those matters therein stated upon information and belief, and as to those matters I believe them to be true.

Charles A. Emling, III Secretary/Treasurer

T-Wire Corporation

Date